Magna Carta (1297)

1297 CHAPTER 9 25 Edw 1 cc 1 9 29

X1

X2

THE GREAT CHARTER OF THE LIBERTIES OF ENGLAND, AND OF THE LIBERTIES OF THE FOREST; CONFIRMED BY KING EDWARD, IN THE TWENTY-FIFTH YEAR OF HIS REIGN.

Editorial Information

X1 The original text of this Act was not modern English. The traditional translation appears first with obsolete characters modernised. The original text (as an image) appears second.The full reference to the chapter numbers of this Statute includes c. 37 of which has been partly repealed.

X2 The Latin Indorsement beginning “Magna Carta” is at the bottom of Membrane 38, of the Roll, being the last of the three Membranes on which are entered The Inspeximus and Confirmation of the Great Charter and of the Charter of the Forest, the Charter of Confirmation in French, and the King's Pardon; in Order as they are printed from hence [Statutes of the Realm, volume 1, page 114] to the End of page 124. In all former Printed Copies the Great Charter and the Charter of the Forest, as granted by King Henry III. and confirmed by King Edward I. have been inserted under the ninth year of K. Henry III. See the Collection of Charters of Liberties preceding the Statutes [in Statutes of the Realm, volume 1], and Chapter II. of the Introduction prefixed to [the same] Volume. The Various Readings marked *L*. are from the Charter of Inspeximus 25 Edw. I, under the Great Seal preserved among the Archives of the City of London. See page 33, of the Charters of Liberties [in Statutes of the Realm, volume 1].

EDWARD by the Grace of God King of England, Lord of Ireland, and Duke of Guyan, **[**[X3]to all Archbishops, Bishops, &c.**]** We have seen the Great Charter of the Lord Henry sometimes King of England, our Father, of the Liberties of England in these words:

Editorial Information

X3 Variant reading of the text noted in *The Statutes of the Realm* as follows: *To All to whom these present Letters shall come; Greeting.*

HENRY by the Grace of God King of England, Lord of Ireland, Duke of Normandy and Guyan, and Earl of Anjou, to all Archbishops, Bishops, Abbots, Priors, Earls, Barons,

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Sheriffs, Provosts, Officers, and to all Bailiffs, and other our faithful Subjects, which shall see this present Charter, Greeting: Know Ye, that We, unto the honour of Almighty God, and for the salvation of (X4) the souls of our Progenitors and Successors [Kings of England,] to the advancement of Holy Church and amendment of our Realm, of our meer and free will, have given and granted to all Archbishops, Bishops, Abbots, Priors, Earls, Barons, and to all [Freemen] of this our Realm, these Liberties following, to be kept in our Kingdom of England for ever.

Editorial Information

X4 Variant reading of the text noted in *The Statutes of the Realm* as follows: *our Soul and*

I Confirmation of Liberties.

FIRST, We have granted to God, and by this our present Charter have confirmed, for Us and our Heirs for ever, that the Church of England shall be free, and shall have all her whole Rights and Liberties inviolable. We have granted also, and given to all the Freemen of our Realm, for Us and our Heirs for ever, these Liberties under-written, to have and to hold to them and their Heirs, of Us and our Heirs for ever.

II–VI .....[F1]

Textual Amendments

F1 Cc. 2–6 repealed by Statute Law Revision Act 1863 (c. 125) and Statute Law (Ireland) Revision Act 1872 (c. 98)

VII .....[F2]

Textual Amendments

F2 C. 7 repealed by Administration of Estates Act (1925) (c. 23), s. 56, Sch. 2 Pt. I, Administration of Estates Act (Northern Ireland) 1955 (c. 24), s. 46, **Sch. 3** and Statute Law (Repeals) Act 1969 (c. 52), **Sch. Pt. I**

VIII .....[F3]

Textual Amendments

F3 C. 8 repealed by Statute Law (Repeals) Act 1969 (c. 52), **Sch. Pt. I**

IX Liberties of London, &c.

THE City of London shall have all the old Liberties and Customs [which it hath been used to have]. Moreover We will and grant, that all other Cities, Boroughs, Towns,

and the Barons of the Five Ports, and all other Ports, shall have all their Liberties and free Customs.

X F4

Textual Amendments

F4 C. 10 repealed by Statute Law Revision Act 1948 (c. 62)

XI—XII. F5

Textual Amendments

F5 Cc. 11, 12 repealed by Civil Procedure Acts Repeal Act 1879 (c. 59), **Sch.**

XIII F6

Textual Amendments

F6 C. 13 repealed by Statute Law Revision Act 1863 (c. 125) and Statute Law (Ireland) Revision Act 1872 (c. 98)

XIV F7

Textual Amendments

F7 C. 14 repealed by Criminal Law Act 1967 (c. 58), **Sch. 3 Pt. I** and Criminal Law Act (Northern Ireland) 1967 (c. 18), **Sch. 2 Pt. I**

XV–XVI F8

Textual Amendments

F8 Cc. 15, 16 repealed by Statute Law (Repeals) Act 1969 (c. 52), **Sch. Pt. I**

XVII F9

Textual Amendments

F9 C. 17 repealed by Statute Law Revision Act 1892 (c. 19)

XVIII F10

Textual Amendments

F10 C. 18 repealed by Crown Proceedings Act 1947 (c. 44), **Sch. 2**

XIX–XXI F11

Textual Amendments

F11 Cc. 19–21 repealed by Statute Law Revision Act 1863 (c. 125) and Statute Law (Ireland) Revision Act 1872 (c. 98)

XXII F12

Textual Amendments

F12 C. 22 repealed by Statute Law Revision Act 1948 (c. 62)

XXIII F13

Textual Amendments

F13 C. 23 repealed by Statute Law (Repeals) Act 1969 (c. 52), **Sch. Pt. I**

XXIV F14

Textual Amendments

F14 C. 24 repealed by Statute Law Revision Act 1863 (c. 125) and Statute Law (Ireland) Revision Act 1872 (c. 98)

XXV F15

Textual Amendments

F15 C. 25 repealed by Statute Law Revision Act 1948 (c. 62)

XXVI F16

Textual Amendments

F16 C. 26 repealed by the Acts 9 Geo. 4 c. 31 s. 1 and 10 Geo. 4 c. 34 s. 1

XXVII–XXVIII F17

Textual Amendments

F17 Cc. 27, 28 repealed by Statute Law Revision Act 1863 (c. 125) and Statute Law (Ireland) Revision Act 1872 (c. 98)

XXIX Imprisonment, &c. contrary to Law. Administration of Justice.

NO Freeman shall be taken or imprisoned, or be disseised of his Freehold, or Liberties, or free Customs, or be outlawed, or exiled, or any other wise destroyed; nor will We not pass upon him, nor **[**[X5]condemn him,**]** but by lawful judgment of his Peers, or by the Law of the Land. We will sell to no man, we will not deny or defer to any man either Justice or Right.

Editorial Information

X5 Variant reading of the text noted in *The Statutes of the Realm* as follows: *deal with him,*

XXX F18

Textual Amendments

F18 C. 30 repealed by Statute Law (Repeals) Act 1969 (c. 52), **Sch. Pt. I**

XXXI F19

Textual Amendments

F19 C. 31 repealed by Statute Law Revision Act 1863 (c. 125) and Statute Law (Ireland) Revision Act 1872 (c. 98)

XXXII F20

Textual Amendments

F20 C. 32 repealed by Statute Law Revision Act 1887 (c. 59)

Changes to legislation: *There are currently no known outstanding effects for the Magna Carta (1297). (See end of Document for details)*

XXXIII. . . . . . [F21]

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XXXIV.

Textual Amendments

F21 Cc. 33, 34 repealed by Statute Law Revision Act 1863 (c. 125) and Statute Law (Ireland) Revision Act 1872 (c. 98)

XXXV . . . . . [F22]

Textual Amendments

F22 C. 35 repealed by Sheriffs Act 1887 (c. 55), s. 39, **Sch. 3**

XXXVI. . . . . . [F23]

XXXVII

Textual Amendments

F23 Cc. 36, 37 repealed by Statute Law Revision Act 1863 (c. 125) and Statute Law (Ireland) Revision Act 1872 (c. 98)

General Saving. Observance of these Liberties. Subsidy, in respect of this Charter and Charter of the Forest.

Reserving to all Archbishops, Bishops, Abbots, Priors, Templars, Hospitallers, Earls, Barons, and all Persons, as well Spiritual as Temporal, all their **[**[X6]free Liberties**]** and free Customs, which they have had in time passed. And all these Customs and Liberties aforesaid, which We have granted to be holden within this our Realm, **[**[X7]as much as appertaineth to Us and our Heirs, we shall observe; and**]** all Men of this our Realm, as well Spiritual as Temporal, **[**[X8]as much as in them is, shall observe the same against all Persons, in like wise.**]** And for this our Gift and Grant of these Liberties, and of other contained in our Charter of Liberties of our Forest, the Archbishops, Bishops, Abbots, Priors, Earls, Barons, Knights, Freeholders, and other our Subjects, have given unto Us the Fifteenth Part of all their Moveables. And We have granted unto them on the other part, ([X9]) that neither We nor our Heirs shall procure or do any thing whereby the Liberties in this Charter contained shall be infringed or broken. And if any thing be procured by any person contrary to the premises, it shall be had of no force nor effect. These being Witnesses; Lord **[**[X10]B.**]** Archbishop of Canterbury, E. Bishop of London, J. Bishop of Bathe, P. of Winchester, H. of Lincoln, R. of Salisbury, W. of Rochester, W. of Worcester, J. of Ely, H. of Hereford, R. of Chichester, W. of Exeter, Bishops; the Abbot of St. Edmonds, the Abbot of St. Albans, the Abbot of **[**[X11]Bello,**]** the Abbot of St. Augustine's in Canterbury, the Abbot of Evesham, the Abbot of Westminster, the Abbot of **[**[X12]Bourgh St. Peter,**]** the Abbot of Reding, the Abbot of Abindon, the Abbot of Malmsbury, the Abbot of Winchcomb, the Abbot of Hyde, the Abbot of Certesey, the Abbot of Sherburn, the Abbot of Cerne, the Abbot of **[**[X13]Abbotebir,**]** the Abbot of Middleton, the Abbot of Seleby, the Abbot of Cirencester; H. de Burgh **[**[X14]Justice,**]** H. Earl of Chester and Lincoln, W. Earl of Salisbury, W. Earl of Warren, G. de Clare Earl of Gloucester and **[**[X15]Hereford,**]** W. de Ferrars Earl of Derby, W. de Mandeville Earl

of Essex, H. de Bygod Earl of Norfolk, W. Earl of Albemarle, H. Earl of Hereford, J. Constable of Chester, R. de Ros, R. Fitzwalter, R. de Vyponte, W. de Bruer, R. de Muntefichet, P. Fitzherbert, W. de Aubenie, F. Gresly, F. de Breus, J. de **[**[X16]Monemue,**]** J. Fitzallen, H. de Mortimer, W. de Beauchamp, W. de St. John, P. de Mauly, Brian de Lisle, Thomas de Multon, R. de Argenteyn, G. de Nevil, W. de Mauduit, J. de Balun, and others. ([X17])

Editorial Information

X6 Variant reading of the text noted in *The Statutes of the Realm* as follows: *Liberties*

X7 Variant reading of the text noted in *The Statutes of the Realm* as follows: *on our part, towards our men,*

X8 Variant reading of the text noted in *The Statutes of the Realm* as follows: *shall observe on their part towards their men*

X9 Variant reading of the text noted in *The Statutes of the Realm* as follows: *for us and our heirs,*

X10 Variant reading of the text noted in *The Statutes of the Realm* as follows: *S*

X11 Variant reading of the text noted in *The Statutes of the Realm* as follows: *Battel.*

X12 Variant reading of the text noted in *The Statutes of the Realm* as follows: *Peterborough*

X13 Variant reading of the text noted in *The Statutes of the Realm* as follows: *Abbotsbury*

X14 Variant reading of the text noted in *The Statutes of the Realm* as follows: *Chief Justicer*

X15 Variant reading of the text noted in *The Statutes of the Realm* as follows: *Hertford*

X16 Variant reading of the text noted in *The Statutes of the Realm* as follows: *Monmouth*

X17 Variant reading of the text noted in *The Statutes of the Realm* as follows: *Given at Westminster the eleventh day of February in the ninth year of our Reign.*

We, Ratifying and approving these Gifts and Grants aforesaid, confirm and make strong all the same for Us and our Heirs perpetually, and by the Tenor of these Presents do renew the same: Willing and granting for Us and our Heirs, that **[**[X18]this Charter and**]** all and singular his Articles for ever shall be stedfastly, firmly, and inviolably observed; **[**[X19]and if**]** any Article in the same Charter contained yet hitherto peradventure hath not been kept **[**[X20]We will and by authority royal command from henceforth firmly they be observed**]**.

Editorial Information

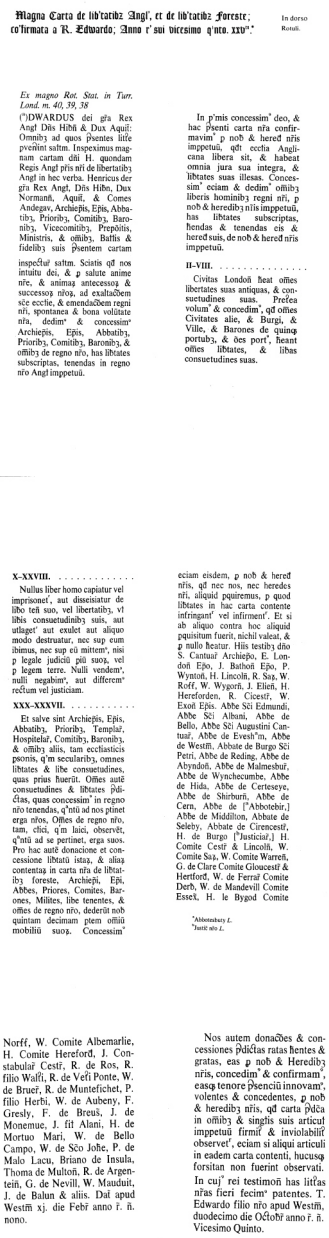
X18 Variant reading of the text noted in *The Statutes of the Realm* as follows: *the Charter aforesaid in*

X19 Variant reading of the text noted in *The Statutes of the Realm* as follows: *even although*

X20 Not in Original.

In Witness whereof We have caused these our Letters Patents to be made. **[**[X21]T. Edward our son at Westminster, the twenty-eighth day of March in the twenty-eighth year of our Reign.**]**

Changes to legislation: *There are currently no known outstanding effects for the Magna Carta (1297). (See end of Document for details)*



Magna Carta de lib'tatibz Angl', et de lib'tatibz Forestæ; co'firmata a R. Edwardo; Anno r' sui vicesimo q'nto. xxv^to.*

In dorso Rotuli.

Ex magno Rot. Stat. in Turr. Lond. m. 40, 39, 28

(*)DWARDUS dei gra Rex Angl' Dñs Hibñ & Dux Aquit': Omnibz ad quos psentes litre pvenint salt'm. Inspeximus magnum cartam dñi H. quondam Regis Angl' pris nri de libertatibz Angl in hec verba. Henricus der gra Rex Angl, Dñs Hibn, Dux Normañ, Aquit', & Comes Andegav, Archiepis, Epis, Abbatibz, Prioribz, Comitibz, Baronibz, Vicecomitibz, Prepositis, Ministris, & oñibz, Baillis & fidelibz suis psentem cartam inspexit' salt'm. Sciatis qd nos intuitu dei, & p salute anime nre, & animaz antecessoz & successoz nroz, ad exaltacõem scæ eccle, & emendacõem regni nri, spontanea & bona voluntate nra, dedim' & concessim' Archiepis, Epis, Abbatibz, Prioribz, Comitibz, Baronibz, & oñibz de regno nro, has libtates subscriptas, tenendas in regno nro Angl imppetuũ.

In p'mis concessim' deo, & hac psenti carta nra confirmavim' p nob & hered nris imppetuũ, qđ eccla Anglicana libera sit, & habeat omnia jura sua integra, & libtates suas illesas. Concessim' eciam & dedim' oñibz liberis hominibz regni nri, p nob & heredibz nris imppetuũ, has libtates subscriptas, hendas & tenendas eis & hered suis, de nob & hered nris imppetuũ.

II–VIII. . . . . .

Civitas Londoñ heat oñes libertates suas antiquas, & consuetudines suas. Prefea volum' & concedim', qđ oñes Civitates alie, & Burgi, & Ville, & Barones de quinq portubz, & ões port', heant oñes libtates, & libas consuetudines suas.

X–XXVIII. . . . . .

Nullus liber homo capiatur vel imprisonet', aut diseisiatur de libo ten suo, vel libertatibz, vl libis consuetudinibz suis, aut utlaget' aut exulet aut aliquo modo destruatur, nec sup eum ibimus, nec sup eũ mittem', nisi p legale judiciũ pũ suoz, vel p legem terre. Nulli vendem', nulli negabim', aut differem' rectum vel justiciam.

XXX–XXXVII. . . . . .

Et salve sint Archiepis, Epis, Abbatibz, Prioribz, Templar, Hospitelar, Comitibz, Baronibz, & oñibz aliis, tam ecclasticis psonis, q'm secularibz, omnes libtates & libe consuetudines, quas prius huerũt. Oñes autẽ consuetudines & libtates pdictas, quas concessim' in regno nro tenendas, q'ntũ ad nos ptinet ergs nros, Oñes de regno nro, tam, cfici, q'm laici, observẽt, q'ntũ ad se pertinet, erga suos. Pro hac autẽ donacione et concessione libtatũ istaz, & aliaz contentaz in carta nra de libtatibz foreste, Archiepi, Epi, Abbes, Priores, Comites, Barones, Milites, libe tenentes, & oñes de regno nro, dederũt nob quintam decimam ptem oñiũ mobiliũ suoz. Concessim' eciam eisdem, p nob & hered nris, qđ nec nos, nec heredes nri, aliquid paciremus, p quod libtates in hac carta contente infringant' vel infirment'. Et si ab aliquo contra hoc aliquid paciitum fuerit, nichil valeat, & p nullo heatur. Hiis testibz dño S. Cantuar' Archiepo, E. Londoñ Epis, J. Bathoñ Epo, P. Wyntoñ, H. Lincoln, R. Saz, W. Roff, W. Wygorn, J. Elien, H. Hereforden, R. Cicestr, W. Exoñ Epis. Abbe Sci Edmundi, Abbe Sci Albani, Abbe de Bello, Abbe Sci Augustini Cantuar', Abbe de Evesh'm, Abbe de Westm, Abbate de Burgo Sci Petri, Abbe de Reding, Abbe de Abyndoñ, Abbe de Malmesbur, Abbe de Wynchecumbe, Abbe de Hida, Abbe de Certeseye, Abbe de Shirburn, Abbe de Cern, Abbe de [*Abbotebir,] Abbe de Middilton, Abbate de Seleby, Abbate de Circencestr, H. de Burgo [*Justiciar,] H. Comite Cestr & Lincoln, W. Comite Saz, W. Comite Warren, G. de Clare Comite Gloucestr & Hertford, W. de Ferrar Comite Derb, W. de Mandevill Comite Essex, H. le Bygod Comite Norff, W. Comite Albemarlie, H. Comite Hereford, J. Constabular Cestr, R. de Ros, R. filio Walr, R. de Ver Ponte, W. de Bruer, R. de Muntefichet, P. filio Herbi, W. de Aubeny, F. Gresly, F. de Breus, J. de Monemue, J. fit Alani, H. de Mortuo Mari, W. de Bello Campo, W. de Sco Joh, P. de Malo Lacu, Briano de Insula, Thoma de Multon, R. de Argentein, G. de Nevill, W. Mauduit, J. de Balun & aliis. Dat apud Westm xj. die Febr anno r. n. nono.

Nos autem donacões & concessiones pdictas ratas hentes & gratas, eas p nob & Heredibz nris, concedim' & confirmam', easq tenore psenciũ innovam', volentes & concedentes, p nob & heredibz nris, qđ carta pdca in oñibz & singlis suis articul imppetuũ firmit & inviolabilit observet', eciam si aliqui articuli in eadem carta contenti, hucusq forsitan non fuerint observati.

In cuj' rei testimon has litras nras fieri fecim' patentes. T. Edwardo filio nro apud Westm, duodecimo die Octobr anno r. n. Vicesimo Quinto.

*Abbemsbury L.
*Iurié alo L.

Editorial Information

X21 The Old Translations read These Reverend Fathers being Witnesses; R. Archbishop of Canterbury Primate of England, A. Bishop of Duresme, and other; Given at Westminster, with our own hand, the twenty-eighth day of the month of March, the twenty-eighth year of our reign.
This agrees with the Old Printed Copies of the Latin Text:
But read
Witness Edward our Son at Westminster, the Twelfth day of October in the Twenty-fifth Year of our Reign.

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